

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ROMPER ROOM, INC., ROMPER
ROOM II, INC., GREG GERING and
TAMMY GERING,

Plaintiffs,

v.

ORDER

WINMARK CORPORATION,

Defendant.

14-cv-641-wmc

On September 23, 2014, plaintiffs filed this lawsuit alleging that defendant Winmark Corporation violated the Wisconsin Fair Dealership Law, Wis. Stat. § 135.01 *et seq.*, by terminating their Once Upon A Child franchises. With the complaint, plaintiffs have also filed a motion for preliminary injunction asking the court to enjoin the impending termination, which is scheduled for October 22, 2014. (Dkt. #2.) The court notes that while plaintiffs have filed a brief in support of their motion and affidavits based on their personal knowledge, they have merely included a statement of proposed facts in their brief, rather than “a precisely tailored set of factual propositions that movant considers necessary to a decision in the movant’s favor,” which must “set forth each factual proposition in its own *separately numbered paragraph* ... citing with precision to the source of that proposition” as required by this court’s procedure to be followed on motions for injunctive relief.¹ Accordingly, plaintiffs will be required to file a separate statement of proposed facts meeting these requirements by tomorrow, September 25, 2014. Provided the proposed findings of fact, along with the summons, complaint, motion for preliminary injunction, supporting

¹ See http://www.wiwd.uscourts.gov/sites/default/files/Injunctive_Relief.pdf.

brief and other materials are all properly served on defendants by 5:00 p.m. on Friday, September 26, 2014, defendants may then have until Friday, October 10, 2014, to respond to plaintiff's motion as required by the court's procedures. A telephonic status conference will be held on Wednesday, October 15, 2014, and the preliminary injunction hearing will be held on Friday, October 17, 2014.

ORDER

IT IS ORDERED that:

- 1) Plaintiffs shall file and serve electronically proposed findings of fact in support of their motion for preliminary injunction no later than Thursday, September 25, 2014.
- 2) Plaintiffs must file proof of service of the summons, complaint, motion, brief, other supporting documents and this order no later than 5:00 p.m. on Friday, September 26, 2014.
- 3) Defendant Winmark Corporation will have until Friday, October 10, 2014 to respond to the motion. There will be no reply.
- 4) The court will hold a telephone status conference at 9:00 a.m. on Wednesday, October 15, 2014; plaintiffs should initiate the call to the court.
- 5) The court will hold a hearing on preliminary injunction at 1:00 p.m. on Friday, October 17, 2014.

Entered this 24th day of September, 2014.

BY THE COURT:

/s/ _____
WILLIAM M. CONLEY
District Judge